

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

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In re: MICROFIBRES, INC.

:

Bk. No. 16-10154

CEDRIC WILLIAMS,

:

Chapter 7

on behalf of himself and all others similarly
situated,

:

Plaintiff,

:

A.P. No.16-01002

v.

:

MICROFIBRES, INC.,

:

Debtor.

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**JOINT MOTION OF CHAPTER 7 TRUSTEE AND CLASS REPRESENTATIVE,
PURSUANT TO SECTION 105 OF THE BANKRUPTCY CODE AND BANKRUPTCY
RULES 9019 AND 7023 TO: (I) APPROVE THE SETTLEMENT AGREEMENT
PURSUANT TO BANKRUPTCY RULE 9019, (II) PRELIMINARILY APPROVE THE
SETTLEMENT AGREEMENT PURSUANT TO BANKRUPTCY RULE 7023, (III)
APPROVE THE FORM AND MANNER OF NOTICE TO CLASS MEMBERS OF THE
SETTLEMENT, (IV) SCHEDULE A FAIRNESS HEARING TO CONSIDER FINAL
APPROVAL OF THE SETTLEMENT AGREEMENT, (V) FINALLY APPROVE THE
SETTLEMENT AGREEMENT FOLLOWING THE FAIRNESS HEARING, AND (VI)
GRANT RELATED RELIEF**

NOTICE

Within twenty-one (21) days after service, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail or other excepted means specified, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

Plaintiff Cedric Williams (“Plaintiff” or “Class Representative”), together with Joseph M.

DiOrio, the Chapter 7 trustee (the “Trustee”) of Microfibres, Inc. (“Microfibres” or the “Debtor”)

by and through their respective counsel, hereby submit this Joint Motion, pursuant to section 105 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 9019 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 23 of the Federal Rules of Civil Procedure (the “Civil Rules”), applicable hereto by Bankruptcy Rule 7023, for the entry of an Order: (1) approving the *Settlement and Release Agreement* (the “Settlement Agreement”) pursuant to Bankruptcy Rule 9019; (2) preliminarily approving the Settlement Agreement pursuant to Bankruptcy Rule 7023; (3) approving the form and manner of notice of the Settlement to the members of the Class (the “Class Notice”); (4) scheduling a fairness hearing to consider final approval of the Settlement Agreement (the “Fairness Hearing”); (5) finally approving the Settlement Agreement following the fairness hearing (the “Final Settlement Order”); and (6) granting related relief (the “Joint Motion”).

In support of the Joint Motion, the Parties submit a memorandum of law and Attachment A, thereto.

DATED: January 23, 2017

For the Trustee:

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And

For the Plaintiff and the Class:

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